

REMARKS

Claims 1-7 are currently pending in this application. It is gratefully acknowledged that Examiner has allowed Claims 4-7. Claims 1-3 were rejected under 35 U.S.C. §103(a) as unpatentable over Krishnamurthi et al. (U.S. 6,134,434, hereinafter Krishnamurthi '434) in view of Krishnamurthi et al. (U.S. Patent 6,198,929, hereinafter Krishnamurthi '929). Claims 1-3 were also rejected under 35 U.S.C. §102(e) as anticipated by Krishnamurthi '929.

Regarding the rejection of independent Claim 1 under 103(a), the Examiner asserts that Krishnamurthi '434 teaches all of the elements of Claim 1, except for including a service type identifier indicating a concurrent service of the voice and packet data, sending from the first base station a new service identifier, and forming in the mobile station a communication link to the second base station, based on the new service configuration record, which the Examiner asserts is disclosed by Krishnamurthi '929. Krishnamurthi '434 teaches a system and method for providing service negotiation in a communications network; Krishnamurthi '929 teaches a system and method for mobile switching center initiated service negotiation. At col. 9, lines 56-66, Krishnamurthi '434 reads, "a source base station, BS1 108, sends a Change Service Configuration Directive to a mobile switching center (MSC) 102, and the Change Service Configuration Directive contains the MSC approved service configuration. The MSC 102 in turn sends a Change Service Configuration Directive to a target base station, BS2 110. BS2 110 returns a Change Service Configuration Directive Ack to indicate the outcome of processing the Change Service Configuration Directive. MSC 102 in turn returns to BS1 108 a Change Service Configuration Directive Ack."

Krishnamurthi '434 discloses that the Service Configuration contains a message sent from the source base station to the MSC. However, the Service Configuration according to Krishnamurthi '434 does not include radio resource information such as a channel assigned to a base station transceiver and a data rate. On the other hand, a service type identifier according to the claims of the present application, when concurrent services are provided, includes a Service Option Connection Reference field indicating the type of the concurrent services. The Service Option Connection Reference field indicates service types provided concurrently in a mobile communication system. The Service Option Connection Reference field consists of a first service option field indicating a first service type (e.g., voice service), a first service option connection reference field, a second service option field indicating a second service type (e.g., packet data

service), and a second service option connection reference field. By contrast, Krishnamurthi '434 fails to disclose the service type identifier disclosed in the claims of the present application. Krishnamurthi '929 discloses a new service configuration. At col. 3, lines 32-35, Krishnamurthi '929 reads "the new service configuration will set the primary service option to be voice, and the secondary service option to be packet data services." This new service configuration is for a negotiation between a mobile terminal and a base station. The service option of Krishnamurthi '929 is for an initiated negotiation between the mobile terminal and the base station, while the service option of the present invention is to indicate a concurrently provided service type. Therefore, the present invention cannot be implemented by a combination of Krishnamurthi '434 and Krishnamurthi '929. Based on at least the foregoing, withdrawal of the rejection of Claim 1 is respectfully requested.

Regarding the rejection of independent Claim 1 under 102(e), the Examiner asserts that Krishnamurthi '929 anticipates all of the elements of Claim 1. Based on at least the arguments set forth above, Krishnamurthi '929 does not anticipate Claim 1. Based on at least the foregoing, withdrawal of the rejection to Claim 1 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-7, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516
PJF/MJM/dr